

**THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**MISTI HAYS,**

**Plaintiff,**

**vs.**

**KIMCO FACILITY SERVICES, LLC,**

**Defendant.**

**Case No. 1:20-CV-05467**

**Honorable Andrea R. Wood**

**DECLARATION OF MARY ANN CALZON-BAZAIN**

I, Mary Ann Calzon-Bazain, pursuant to 28 USC § 1746, do hereby verify and declare that the following facts are true and correct to the best of my knowledge, information, and belief:

1. I am over 18 years of age, and competent to give this testimony. I have personal knowledge of all facts recited in this declaration, and if called to testify in this action, I could and would testify truthfully to the matters set forth in this declaration.

2. I am the director of risk management and legal at Kimco.

3. Kimco is incorporated under the laws of Georgia, with its principal place of business in Atlanta, Georgia.

4. I primarily work in Kimco's principal office in Atlanta, Georgia.

5. Kimco's human resources department is primarily located in Atlanta, Georgia, and the company's employment policies and employee records are generally maintained there as well, including the majority of those relevant to Plaintiff Misti Hays in this case.

6. Kimco is authorized to do business in Missouri and provides janitorial cleaning services in locations including Poplar Bluff and Sikeston, Missouri.

7. Kimco is also authorized to do business in Illinois and has an office in Des Plaines, Illinois, that is largely used by sales employees who are customarily and primarily working away from the office.

8. Heidi Wilson is a Kimco district manager who resides in Marshfield, Missouri.

9. Wilson's employment with Kimco is based out of Missouri, and the district she supervises is in Missouri. Her supervision and management of employees occurs in Missouri. She is a remote worker who is not assigned to a physical Kimco office space.

10. Upon information and belief, Plaintiff was supervised by Wilson during some or all of the time period alleged in Plaintiff's Complaint.

11. Amanda Anderson is a Kimco area manager who resides in Seymour, Missouri.

12. Anderson's employment with Kimco is based out of Missouri. Her supervision and management of employees routinely occurs in Missouri. She is a remote worker who is not assigned to a physical Kimco office space.

13. Anderson has been an area manager since December 2018.

14. Neither Wilson nor Anderson have performed work for Kimco from the sales office in Des Plaines, Illinois.

15. Plaintiff Misti Hays resides in Morehouse, Missouri.

16. Plaintiff works for Kimco out of Missouri. In fact, Plaintiff has never been assigned or performed work for Kimco outside of Missouri. Instead, most recently Plaintiff has worked in Popular Bluff, Missouri, and Sikeston, Missouri.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated this 12th day of November, 2020.



Mary Ann Calzon-Bazain